

**Amendments to the Drawings:**

The attached replacement drawing sheets makes changes to Figs. 3 and 7 and replace the original sheets with Figs. 3 and 7.

Attachment: Replacement Sheets

**REMARKS**

Claims 1-4 are pending in this application. By this Amendment, claims 1-4, the specification, Abstract, and Figs. 3 and 7 are amended. Claims 1-4 are amended for clarity. Thus, no new matter is added.

**I. Objections to the Specification**

The Office Action objects to the Abstract of the specification for length and objects to pg. 3, line 6 and pg. 4, line 11 of the specification for informalities.

By this Amendment, the specification and Abstract are amended to obviate these objections. Accordingly, Applicant respectfully requests withdrawal of the objections to the specification.

**II. Objections to the Drawings**

The Office Action objects to Fig. 3 under 37 C.F.R §1.84(b)(5) for including a character 24 not mentioned in the description and objects to Fig. 7 alleging it should be labeled "Prior Art."

Figs. 3 and 7 have been amended to obviate these objections. Accordingly, Applicant respectfully requests withdrawal of these objections.

**III. 35 U.S.C. §112 Rejection**

The Office Action rejects claim 1 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. By this Amendment, claim 1 has been amended as suggested in the Office Action. Accordingly, Applicant respectfully requests withdrawal of the rejection.

**IV. 35 U.S.C. §103 Rejection**

The Office Action rejects claims 1-4 under 35 U.S.C. §103(a) as being unpatentable over asserted prior art Figure 7 (hereinafter "APA") in view of U.S. Patent No. 3,747,447 to Wisner. This rejection is respectfully traversed.

Wisner fails to disclose or render obvious "a plurality of piercing needles...being independently rotatable about the second axis with respect to each other," as recited by independent claim 1. The Office Action alleges that APA discloses the basic structure of the claimed device but acknowledges that APA fails to disclose "a plurality of piercing needles...being independently rotatable about the second axis with respect to each other." The Office Action alleges that Wisner cures this deficiency.

In particular, the Office Action alleges that Wisner discloses perforating elements (Fig. 5, 55) which rotate as a whole to allow the pins to enter and leave the workpiece in a vertical fashion. However, the perforating elements are not equivalent to the recited "plurality of piercing needles." In particular, each of the perforating elements disclosed by Wisner rotates about its own independent axis (Fig. 5, col. 3, lines 37-40). In other words, the applied combination of references discloses a piercing device, wherein each of the perforating elements rotates about its own axis. Thus, the applied combination fails to disclose "a plurality of piercing needles...being independently rotatable about the second axis with respect to each other," as recited by independent claim 1.

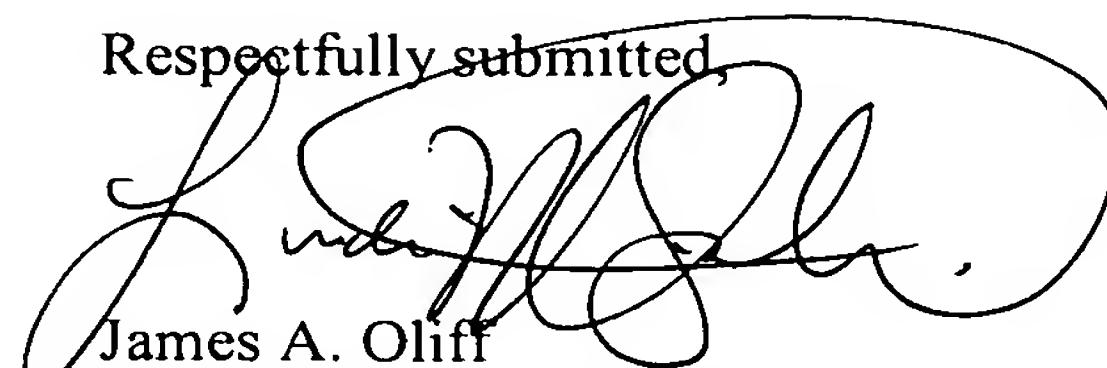
Therefore, the applied combination fails to disclose or render obvious the features of independent claim 1. Thus, claim 1 is patentable over the applied combination. Claims 2-4 are patentable at least for their various dependencies from claim 1 as well as for the additional features they recite. Accordingly, Applicant respectfully requests withdrawal of the rejection.

#### **V. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-4 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Linda M. Saltiel  
Registration No. 51,122

JAO:LCS/hs

Attachments:

Petition for Extension of Time  
Abstract  
Replacement Drawings

Date: November 21, 2008

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

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